

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE JOHNSON,

Plaintiff,

v.

SACRAMENTO COUNTY SHERIFF'S
OFFICE, et al.,

Defendants.

No. 2:24-cv-2412 DAD CSK P

ORDER

Plaintiff, a county jail inmate proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983. On September 12, 2024, plaintiff was ordered to file, within thirty days, an in forma pauperis affidavit and certified copy of his inmate trust account statement or pay the Court's filing fee. (ECF No. 3.) Thirty days passed, and plaintiff did not respond to the order. On November 4, 2024, the Court recommended that this action be dismissed because plaintiff failed to file an in forma pauperis affidavit and certified copy of his inmate trust account statement or pay the Court's filing fee. (ECF No. 5.) On November 18, 2024, plaintiff filed an application to proceed in forma pauperis. (ECF No. 6.) However, the certificate portion of the application which must be completed by plaintiff's institution of incarceration has not been filled out. Also, plaintiff has not filed a certified copy of the inmate trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2).

1 Therefore, the findings and recommendations are vacated, and plaintiff is provided the
2 opportunity to submit a completed in forma pauperis application and a certified trust account
3 statement in support of the application. Plaintiff is cautioned that failure to comply with this
4 order will result in a recommendation that this action be dismissed.

5 In accordance with the above, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations (ECF No. 5) are vacated.
- 7 2. Plaintiff shall submit, within thirty days from the date of this order, a completed
8 affidavit in support of the application to proceed in forma pauperis on the form
9 provided by the Clerk of Court, and a certified copy of the inmate trust account
10 statement for the six month period immediately preceding the filing of the complaint.
- 11 3. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In
12 Forma Pauperis By a Prisoner.
- 13 4. Plaintiff's failure to comply with this order will result in a recommendation that this
14 action be dismissed without prejudice.

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16 Dated: November 21, 2024

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18 CHI SOO KIM
19 UNITED STATES MAGISTRATE JUDGE

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